

1 CLEMENT SETH ROBERTS (SBN 209203)
croberts@orrick.com
2 BAS DE BLANK (SBN 191487)
basdeblank@orrick.com
3 ALYSSA CARIDIS (SBN 260103)
acaridis@orrick.com
4 Orrick, Herrington & Sutcliffe LLP
The Orrick Building
5 405 Howard Street
San Francisco, CA 94105-2669
6 Telephone: +1 415 773 5700
Facsimile: +1 415 773 5759
7
8 SEAN M. SULLIVAN (*pro hac vice*)
sullivan@ls3ip.com
9 COLE B. RICHTER (*pro hac vice*)
richter@ls3ip.com
10 LEE SULLIVAN SHEA & SMITH LLP
656 W Randolph St., Floor 5W
Chicago, IL 60661
11 Telephone: +1 312 754 0002
Facsimile: +1 312 754 0003
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13 *Attorneys for Sonos, Inc.*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

17 SONOS, INC.,
18 Plaintiff and Counterdefendant,
19 v.
20 GOOGLE LLC,
21 Defendant and Counterclaimant.

Case No. 3:20-cv-06754-WHA
Related to Case No. 3:21-cv-07559-WHA

**DECLARATION OF JOSEPH R.
KOLKER IN SUPPORT OF SONOS,
INC.'S OPPOSITION TO GOOGLE
LLC'S MOTION IN LIMINE NO. 1**

Judge: Hon. William Alsup
Pretrial Conf.: May 3, 2023
Time: 12:00 p.m.
Courtroom: 12, 19th Floor
Trial Date: May 8, 2023

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1 I, Joseph R. Kolker, declare as follows and would so testify under oath if called upon to
2 do so:

3 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel
4 of record to Sonos, Inc. (“Sonos”) in the above-captioned matter. I am a member in good
5 standing of the New York State Bar and am admitted to practice before this Court in this matter
6 *pro hac vice*. I make this declaration based on my personal knowledge, unless otherwise noted.
7 If called, I can and will testify competently to the matters set forth herein.

8 2. I make this declaration in support of Sonos’s Opposition to Google LLC’s Motion
9 *In Limine* No. 1.

10 3. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from the
11 Opening Expert Report of Dr. Kevin C. Almeroth, dated November 30, 2022.

12 4. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the
13 Rebuttal Expert Report of Dan Schonfeld, Ph.D., dated January 13, 2023.

14 5. Attached hereto as **Exhibit C** is a true and correct copy of excerpts from the Reply
15 Expert Report of Dr. Kevin C. Almeroth, dated January 23, 2023.

16 6. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from the
17 Supplemental Expert Report of James E. Malackowski, dated December 9, 2022.

18 7. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the Reply
19 Expert Report of James E. Malackowski, dated January 23, 2023.

20 8. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from the
21 deposition transcript of Dan Schonfeld, Ph.D., taken on August 31, 2022.

22 9. Attached hereto as **Exhibit G** is a true and correct copy of excerpts from the
23 deposition transcript of James E. Malackowski, taken on January 30, 2023.

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1 I declare under penalty of perjury that the foregoing is true and correct to the best of my
2 knowledge. Executed this 24th day of April, 2023 in Yonkers, New York.

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5 JOSEPH R. KOLKER

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1 **ATTESTATION**

2 I, Sean Pak, am the ECF user whose ID and password are being used to file the above
3 document. In compliance with Civil L.R. 5-1, I hereby attest that counsel for Sonos has concurred in
4 the aforementioned filing.

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6 DATED: April 26, 2023

7 */s/ Sean Pak* _____

8 Sean Pak

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